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10 Attorneys for Defendant
11 CITY OF BEVERLY HILLS

12 UNITED STATES DISTRICT COURT
13 CENTRAL DISTRICT OF CALIFORNIA
14 WESTERN DIVISION

15 ANDREA GUY JACKSON

16 Plaintiff,

17 v.

18 CITY OF BEVERLY HILLS, et al.,

19 Defendants.
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CASE NO. CV 10-2143 VBF(AGRX)

HON. VALERIE B. FAIRBANK

~~PROPOSED~~ JUDGMENT

~~PROPOSED~~ JUDGMENT

Andrea Guy Jackson v. City of Beverly Hills et al.
Case No. CV 10-2143-VBF(AGRx)

1 On August 20, 2009, Plaintiff, Andrea Guy Jackson, filed her original
 2 Complaint in the above captioned matter against Defendant, City of Beverly Hills. On
 3 December 24, 2009, Plaintiff filed a First Amended Complaint. On February 26,
 4 2010, Plaintiff filed a Second Amended Complaint. The City removed this action to
 5 this Court on March 24, 2010. Plaintiff filed a Third Amended Complaint on June 1,
 6 2010. In her Third Amended Complaint, Plaintiff alleged claims against the City for
 7 (1) retaliation in violation of Title VII of the Civil Rights Act of 1964; (2) racial
 8 discrimination in violation of Title VII of the Civil Rights Act of 1964; (3) willful
 9 violation of Fair Labor Standards Act ("FLSA"); and (4) retaliation in violation of
 10 California Fair Employment and Housing Act. On July 23, 2010, the Court dismissed
 11 with prejudice Plaintiff's first, second and fourth causes of action against the City.
 12 Therefore, the third cause of action for "willful violation of the Fair Labor Standards
 13 Act ("FLSA")" is the only surviving claim against the City.

14 The City denied, and continues to deny, Plaintiff's allegations and filed its
 15 Answer on August 5, 2010.

16 On November 22, 2010, the City made an Offer of Judgment to Plaintiff
 17 pursuant to Federal Rule of Civil Procedure ("FRCP") 68. See Exhibit A. Plaintiff
 18 accepted the Offer of Judgment on December 3, 2010. See Exhibit B.

19 Therefore, pursuant to FRCP 68, an offer of judgment having been made and
 20 accepted, judgment is now hereby entered in the above captioned case according to
 21 the terms of the Offer of Judgment as set forth below:

22 (1) In the amount of ONE THOUSAND DOLLARS (\$1,000), less
 23 appropriate withholdings, against Defendant CITY OF BEVERLY HILLS in favor of
 24 Plaintiff ANDREA GUY JACKSON.

25 ///

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1 This Judgment is entered pursuant to FRCP 68, and is not to be construed as an
2 admission that the City willfully violated the FLSA or any other law.

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4 Dated this 9th day of December, 2010.

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6 BY THE COURT:

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10 THE HONORABLE VALERIE B. FAIRBANK
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EXHIBIT A

1 Donald L. Samuels (State Bar No. 126287)
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7 Attorneys for Defendant
8 CITY OF BEVERLY HILLS

9
10 UNITED STATES DISTRICT COURT
11 CENTRAL DISTRICT OF CALIFORNIA
12 WESTERN DIVISION
13

14 ANDREA GUY JACKSON

15
16 Plaintiff,

17 v.

18 CITY OF BEVERLY HILLS, et al.,

19
20 Defendants.
21

CASE NO. CV 10-2143 VBF(AGRX)

**DEFENDANT CITY OF BEVERLY
HILLS' OFFER OF JUDGMENT TO
PLAINTIFF ANDREA GUY
JACKSON**

[Fed. R. Civ. Pro. 68]

Trial Date: May 17, 2011
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DEFENDANT CITY OF BEVERLY HILLS' OFFER OF JUDGMENT TO PLAINTIFF

Andrea Guy Jackson v. City of Beverly Hills et al.

Case No. CV 10-2143-VBF(AGRx)

1 TO PLAINTIFF ANDREA GUY JACKSON, AND HER ATTORNEYS OF
2 RECORD:

3 Defendant City of Beverly Hills ("the City"), submits the following offer to you
4 pursuant to Rule 68 of the Federal Rules of Civil Procedure: the City will pay you
5 One Thousand Dollars (\$1,000) (which does not include your costs, interest and
6 attorneys' fees) in return for a dismissal with prejudice of your claims in this lawsuit
7 against the City.

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9 Dated: November 22, 2010

HOLME ROBERTS & OWEN LLP

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11
12 By: 

13 Donald L. Samuels

14 Diba D. Rastegar

15 Attorneys for Defendant

16 CITY OF BEVERLY HILLS
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EXHIBIT B

12/03/2010 20:09 3236555104

LEOTERRELL

PAGE 03/06

1 Leo James Terrell, State Bar No. 149693
 2 LAW OFFICES OF LEO JAMES TERRELL
 3 8383 Wilshire Blvd., Suite 920
 4 Beverly Hills, California 90211
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 Facsimile: (323) 655-5104
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5 Attorneys for Plaintiff
 6 ANDREA GUY JACKSON

7
 8 UNITED STATES DISTRICT COURT
 9 CENTRAL DISTRICT OF CALIFORNIA
 10 WESTERN DIVISION

11 ANDREA GUY JACKSON,

12 Plaintiff,

13 vs.

14 CITY OF BEVERLY HILLS and DOES 1-20,
 15 inclusive,

16 Defendants.

CASE NO. CV 10-02143-VBF (AGRx)

PLAINTIFF'S ACCEPTANCE OF
 DEFENDANT CITY OF BEVERLY HILLS'
 OFFER OF JUDGMENT PURSUANT TO
 RULE 68 OF THE FEDERAL RULES OF
 CIVIL PROCEDURE

[Fed. R. Civ. Pro. 68]

Assigned to the Hon. Valerie B. Fairbank

18 Plaintiff Andrea Guy Jackson hereby accepts the Defendant City of Beverly Hills Offer of
 19 Judgment Pursuant to Rule 68 of the Federal Rules of Civil Procedure whereby the Defendant City of
 20 Beverly Hills will pay Plaintiff Andrea Guy Jackson One Thousand Dollars (\$1,000) (which does not
 21 include Plaintiff Andrea Guy Jackson's costs, interest and attorneys' fees) in return for a dismissal with
 22 prejudice of Plaintiff Andrea Guy Jackson's claims in the above-entitled lawsuit against the Defendant
 23 City of Beverly Hills.

24 DATED: December 3, 2010

LAW OFFICES OF LEO JAMES TERRELL

25
 26 By: 

Leo James Terrell, Attorney for Plaintiff

Andrea Guy Jackson

12/03/2010 20:09 3235555104

LEOTERRELL

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PROOF OF SERVICE BY MAIL

I am employed in the County of Los Angeles, State of California; I am over the age of eighteen years and not a party to the within entitled action; my business address is 8383 Wilshire Boulevard, Suite 920, Beverly Hills, California 90211.

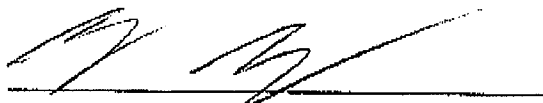
I am readily familiar with the business practice at my place of business for collection and processing of correspondence for mailing with the United States Postal Service. Correspondence so collected and processed is deposited with the United States Postal Service that same day in the ordinary course of business.

On December 3, 2010, I served the within **PLAINTIFF'S ACCEPTANCE OF DEFENDANT CITY OF BEVERLY HILLS' OFFER OF JUDGMENT PURSUANT TO RULE 68 OF THE FEDERAL RULES OF CIVIL PROCEDURE** on the interested party in said action, by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the United States mail at Beverly Hills, California addressed as follows:

**Donald L. Samuels
Diba D. Rastegar
HOLME ROBERTS & OWEN LLP
800 W. Olympic Boulevard, 4th Floor
Los Angeles, California 90015**

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed on December 3, 2010, at Beverly Hills, California.


TONY SU

PROOF OF SERVICE
1013 A(3) CCP REVISED 5/1/88

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address is 800 West Olympic Boulevard, 4th Floor, Los Angeles, CA 90015.

On December 8, 2010, I served the foregoing document described as **[PROPOSED] JUDGMENT** on the interested party in this action by placing a true and correct copy thereof enclosed in a sealed envelope addressed as follows:

SEE ATTACHED SERVICE LIST

☐ BY MAIL: I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with U.S. postal service on that same day with postage thereon fully prepaid at Los Angeles, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

☐ BY PERSONAL SERVICE: I caused the above-mentioned document to be personally served to the offices of the addressee.

☒ BY ELECTRONIC MAIL: I caused the above-referenced document to be served to the addressee on the attached service list via CM/ECF.

Executed on December 8, 2010, at Los Angeles, California.

☒ (FEDERAL) I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.


GERI ANDERSON

SERVICE LIST

Leo James Terrell *Attorney for Plaintiff*
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